

REMARKS

Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant expresses his appreciation to Examiner Nam V. Nguyen and Examiner Brian Zimmerman for the courtesy of an interview which was granted to Applicants' representative, Sanford T. Colb (Reg. No. 26,856). The interview was held in the USPTO on February 25, 2004.

In the interview, claims 1, 2, 4, 5, 7-9, 16, 18, 27, 28 and 30-38 were discussed vis-à-vis the prior art of Lo, MacLellan et al. and Wizgall et al. Specifically, The Interview Summary Record states, in relevant part, "Parties agreed with applicant's arguments 2 & 3 [discussed hereinbelow]. Applicant intends to provide support in specification to limitation in point 1 [discussed hereinbelow], upon doing so the Examiner will reconsider point 1."

The specification is objected to because of informalities. Applicant has amended the specification accordingly. *(not)*

Claims 1 and 7-8 stand rejected under 35 USC 103(a) as being unpatentable over Friedman et al. (U.S. 6,593,845) in view of Lo (U.S. 5,166,929). Friedman discloses an RF tag including having an awake mode and a sleep mode. Lo discloses a mobile station to base station access protocol with a feedback mechanism. As discussed in the interview, the Applicant respectfully disagrees with the Examiner's characterization of Lo as teaching sending a message indicating when a future receiving window **will be open**. The present invention teaches broadcasting a message including an indication of the time at which a future receiving window is due to open as recited in claim 1. Support for this portion of claim 1 is found in Fig. 32 and in the specification on page 18, lines 19-32, which describe the ASSIGN SLOTS command, in which the base station broadcasts a message to the tags including an indication of a future time at which a receiving window will be available to them. Claims 1, 7 and 8 are therefore deemed to be patentable.

Claims 2, 9, 18 and 28 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Lo (U.S. 5,166,929). MacLellan et al. discloses a TDMA duplex radio communication system for communication between a base station and a plurality of tags. Lo discloses a mobile station to base station access protocol with a feedback mechanism. As discussed in the interview, the Applicant respectfully disagrees (as stated in applicant's argument 2) with the Examiner's statement that the combination of MacLellan and Lo teaches both of the receiving windows as recited in claim 2, specifically the random access receiving window during which the base station is operative to receive communications from any of the plurality of tags. Additionally, the applicant respectfully submits that MacLellan does not show or suggest a dynamic identifier as recited in claim 9. Claims 2, 9, 18 and 28 are therefore deemed to be patentable.

Claims 4-5, 16, 27 and 30-38 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Wizgall et al. (U.S. 5,630,209). Wizgall discloses an emergency call system including a wireless telecommunication network, at least one wireless emergency call transmission device and at least one emergency call receiving device. As discussed in the interview, the Applicant respectfully disagrees (as stated in applicant's argument 3) with the Examiner's statement that Wizgall teaches the emergency communications receiving window, as recited in claim 4. Claim 4 is therefore deemed to be patentable. Claims 5, 27, 30 and 33 depend from claim 4 and are thus deemed to be patentable. Claims 16, 31 and 34 depend from claims 1, 2 and 9, respectively, and are therefore deemed to be patentable. Claims 32 and 35-38, which recite this feature and depend from claims that have been cancelled, have been amended to include the recitation of the base claim on which they were dependent.

Claim 6 stands rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Wizgall et al. (U.S. 5,630,209) and in further view of Poticny et al. (U.S. 6,369,710). Claim 6 depends from claim 4, which was discussed hereinabove vis-à-vis MacLellan et al. and Wizgall et al. Inasmuch as claim 4 is deemed patentable, Applicants respectfully submit that claim 6 is also patentable.

Claims 10-11 stand rejected under 35 USC 103(a) as being unpatentable

over MacLellan et al. (U.S. 5,940,006) in view of Lo (U.S. 5,166,929) and in further view of Crisler et al (U.S. 5,594,738). Claims 10-11 depend from claim 9, which was discussed hereinabove vis-à-vis MacLellan et al. and Lo. Inasmuch as claim 9 is deemed patentable, Applicants respectfully submit that claims 10-11 are also patentable.

Claims 3, 26 and 29 stand rejected under 35 USC 103(a) as being unpatentable over Hamajima et al. (U.S. 6,216,003) in view of Willars (U.S. 6,507,567). Claims 12 and 13 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Dorenbosch et al. (U.S. 6,256,493). Claims 14-15 and 19-21 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Carroll et al. (U.S. 5,396,227). Claims 22-23 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Carroll et al. (U.S. 5,396,227) and in further view of Cofino et al. (U.S. 6,288,629). Claims 24-25 stand rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Carroll et al. (U.S. 5,396,227), and in further view of Froschermeier (U.S. 5,525,992). Claim 17 stands rejected under 35 USC 103(a) as being unpatentable over MacLellan et al. (U.S. 5,940,006) in view of Richards et al. (U.S. 6,300,903).

Claims 3, 12-15, 17, 19-26 and 29 have been cancelled without prejudice.

Claims 39-49 are objected to as being dependent upon a rejected base claim. As discussed hereinabove, claims 1, 2, 4 and 9 are deemed to be patentable, thus claims 39-40 and 42-43 are no longer dependent on a rejected base claim. Claims 41 and 44-49 have been amended to include all of the limitations of the base claim and any intervening claims and are therefore deemed to be patentable. Additionally, all of claims 39-49 have been amended to include a period at the end thereof.

With reference to the above discussion, all of the claims are deemed patentable over the prior art of record and favorable reconsideration is respectfully requested.

Applicant has carefully studied the remaining prior art of record herein and concludes that the invention as described and claimed in the present application is neither shown in nor suggested by the cited art.

Applicant reserves the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jay S. Cinamon". The signature is written in black ink and is positioned above the printed name.

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